

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.

11535

In Re Application Of: **Michael Wayne Graham**

Serial No.

09/100,812

Filing Date

June 19, 1998

Examiner

S. Kaushal

Group Art Unit

1633

Title: **SYNTHETIC GENES AND GENETEC CONSTRUCTS COMPRISING SAME I****RECEIVED****JAN 04 2001**

Address to:

Assistant Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:

1. a Final Action under 37 CFR 1.113, or
 2. a Notice of Allowance under 37 CFR 1.311,
- whichever occurs first.

Also submitted herewith is:

- ☐ a certification as specified in 37 CFR 1.97(e);

OR

- ☒ the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

11535

JAN 04 2001

In Re Application Of: Michael Wayne Graham

DEC 26 2000

TECH CENTER 1500/2300

Serial No.

09/100,812

Filing Date

June 19, 1998

Examiner

S. Kaushal

Group Art Unit

1633

Title: SYNTHETIC GENES AND GENETEC CONSTRUCTS COMPRISING SAME I

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of \$240.00 is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No.) on

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

*This certificate may only be used if paying by deposit account.

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on 12/20/00 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Janet Giordano

Signature of Person Mailing Correspondence

Janet Giordano

Typed or Printed Name of Person Mailing Correspondence

Dated: December 20, 2000

Frank S. DiGiglio
Registration No. 31,346
SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

CC:



#10

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED**

JAN 04 2001

TECH CENTER 1600/2800

Applicants: Michael Wayne Graham**Examiner:** S. Kaushal**Serial No.:** 09/100,812**Art Unit:** 1633**Filed:** June 19, 1998**Docket:** 11535**For:** SYNTHETIC GENES AND GENETIC
CONSTRUCTS COMPRISING SAME I**Dated:** December 20, 2000Assistant Commissioner for Patents
Washington, D.C. 20231**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

Repln. Ref: 12/28/2000 MAHME1 0011044100
DAH:191013 Name/Number:09100812
FC: 704

1. Napoli, Carolyn et al., "Introduction of a Chimeric Chalcone Synthase Gene into Petunia Results in Reversible Co-Suppression of Homologous Genes in trans", The Plant Cell, 2: 279-289 (1990);
2. Lindbo, John et al., "Induction of a Highly Specific Antiviral State in Transgenic Plants: Implications for Regulation of Gene Expression and Virus Resistance", The Plant Cell, 5: 1749-1759 (1993);
3. Park, Y. et al., "Gene silencing mediated by promoter homology occurs at the level of transcription and results in meiotically heritable alterations in methylation and gene activity", The Plant Journal, 9: 183-194 (1996);

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on December 20, 2000.

Dated: December 20, 2000

12/28/2000 MAHME1 00000060 09100812

01 FC:126

180.00 OP

Janet Giordano

4. Waterhouse, Peter et al., "Virus resistance and gene silencing in plants can be induced by simultaneous expression of sense and antisense RNA", Plant Biology, 95: 13959-13964 (1998);
5. Smith, Neil et al., "Total Silencing by intronspliced hairpin RNAs", Nature, 407: 319-320 (2000);
6. Katsuki, Motoya et al., "Conversion of Normal Behavior to Shiverer by Myelin Basic Protein Antisense cDNA in Transgenic Mice", Science, 241: 593-595 (1988);
7. Moroni, Maria Cristina et al., "EGF-R Antisense RNA Blocks Expression of the Epidermal Growth Factor Receptor and Suppresses the Transforming Phenotype of a Human Carcinoma Cell Line", The Journal of Biological Chemistry, 267(5): 2714-2722 (1992);
8. Kook, Yoon Hoh et al., "The effect of antisense inhibition of urokinase receptor in human squamous cell carcinoma on malignancy", The EMBO Journal, 13(17): 3983-3991 (1994);
9. Palauqui, Jean-Christophe et al., "Systemic acquired silencing: transgene-specific post-transcriptional silencing is transmitted by grafting from silenced stocks to non-silenced scions", The EMBO Journal, 16(15): 4738-4745 (1997);
10. Palauqui, Jean-Christophe et al., "Transgenes are dispensable for the RNA degradation step of cosuppression", Plant Biology, 95: 9675-9680 (1998);
11. Voinnet, Olivier et al., "Systemic Spread of Sequence-Specific Transgene RNA Degradation in Plants Is Initiated by Localized Introduction of Ectopic Promoterless DNA", Cell, 95: 177-187 (1998);
12. Fire, Andrew et al., "Potent and specific genetic interference by double-stranded RNA in *Caenorhabditis elegans*", Nature, 391: 806-811 (1998);
13. Wianny, Florence et al., "Specific interference with gene function by double-stranded RNA in early mouse development", Nature Cell Biology, 2: 70-75 (2000);
14. Tuschl, Thomas et al., "Targeted mRNA degradation by double-stranded RNA in vitro", Genes & Development, 13: 3191-3197 (1999);
15. Hamilton, Andrew J. et al., "A Species of Small Antisense RNA in Posttranscriptional Gene Silencing in Plants", Science, 286: 950-952 (1999);

16. Zamore, Phillip et al., "RNAi: Double-Stranded RNA Directs the ATP-Dependent Cleavage of mRNA at 21 to 23 Nucleotide Intervals", Cell, Vol. 101: 25-33 (2000);
17. Hammond, Scott M. et al., "An RNA-directed nuclease mediates post-transcriptional gene silencing in *Drosophila* cells", Nature, 404: 293-296 (2000);
18. Caplen, Natasha J. et al., "dsRNA-mediated gene silencing in cultured *Drosophila* cells: a tissue culture model for the analysis of RNA interference", Gene, 252: 95-105 (2000);
19. Cogoni, Carlo et al., "Gene silencing in *Neurospora crassa* requires a protein homologous to RNA-dependent RNA polymerase", Nature, 399: 166-169 (1999);
20. Cogoni, Carlo et al., "Posttranscriptional Gene Silencing in *Neurospora* by a RecQ DNA Helicase", Science, 286: 2342-2344 (1999);
21. Dalmay, Tamas et al., "An RNA-Dependent RNA Polymerase Gene in *Arabidopsis* Is Required for Posttranscriptional Gene Silencing Mediated by a Transgene but Not by a Virus", Cell, 101: 543-553 (2000);
22. Brigneti, Gianinna et al., "Viral pathogenicity determinants are suppressors of transgene silencing in *Nicotiana benthamiana*", The EMBO Journal, 17(22): 6739-6746 (1998);
23. Tabara, Hiroaki et al., "The rde-1 Gene, RNA Interference, and Transposon Silencing in *C. elegans*", Cell, 99: 123-132 (1999);
24. Domeier, Mary Ellen et al., "A Link Between RNA Interference and Nonsense-Mediated Decay in *Caenorhabditis elegans*", Science, 289: 1928-1930 (2000);
25. Smardon, Anne et al., "EGO-1 is related to RNA-directed RNA polymerase an functions in germ-line development and RNA interference in *C. elegans*", Current Biology, 10(4): 169-178 (2000);
26. Wassenegger, Michael et al., "Signalling in gene silencing", Elsevier Science, 4(6): 207-209 (1999);
27. Ding, Shou Wei, "RNA silencing", Current Opinion in Biotechnology, 11: 152-156 (2000);
28. Marx, Jean, "Interfering With Gene Expression", Science, 288: 1370-1372 (2000); and

29. Gura, Trisha, "A silence that speaks volumes", Nature, 404: 804-808 (2000).

Applicant is submitting herewith a copy of the cited references.

Pursuant to 37 C.F.R. §1.97 (c), Applicant also submits a check in the amount of \$240.00. The undersigned attorney authorizes the Commissioner to deduct any deficiency from, or to credit any over payment to, Deposit Account No. 19-1013/SSMP of the undersigned, which deficiency or overpayment is occasioned by this Information Disclosure Statement.

Consideration of this Information Disclosure Statement is respectfully requested, since the information provided herein may be material to the patentability of the present application as defined in 37 C.F. R. §1.56.

Respectfully submitted,



Frank S. DiGiglio
Registration No. 31,346

Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

FSD/XZ:lf:ab